

A MEETING OF THE BOARD OF COMMISSIONERS OF  
THE CITY OF SODDY-DAISY, TENNESSEE, WAS HELD  
ON THURSDAY, NOVEMBER 19, 2009 AT 7:00 P.M.

MEMBERS PRESENT:  
MAYOR SHIPLEY  
VICE-MAYOR PRIVETT  
COMMISSIONER ADAMS  
COMMISSIONER HARMON  
COMMISSIONER SKILES  
CITY MANAGER STULCE  
CITY ATTORNEY ELLIOTT  
CITY RECORDER BURRIS

The minutes of the meeting held November 5, 2009 were approved as presented.

Brian Wright, with Johnson, Murphey and Wright, P.C., presented the City's 2008-2009 Fiscal Year Audit. He said that the City had a clean audit with no material weaknesses. He did state that there was one finding which is the same as the previous two years which requires that the City have accounting personnel on staff that can prepare their own audit or financial statement. He said there is a State program to train personnel to meet this requirement. Once the training is complete, the individual would qualify as meeting the requirement making the finding go away. City Manager Stulce stated his disagreement with the finding saying that he felt there was sufficient City staff that was very capable and proven. Mr. Wright agreed but the law requires the City to have a certified public accountant on staff or someone who has met the state's requirements. Commissioner Adams asked what would be the penalty for noncompliance and what is the deadline. Mr. Wright said it was unclear at this point, but that the State has threatened to withhold state shared monies. He added that all cities of like size have two years to comply with new hires being given an additional two years. He gave his appreciation for being allowed to do the City's audit.

Old business: None.

New business: None.

Jim Folkner, Chattanooga, came before the Commission stating that he had property for sale on Frontage Road that he felt it would be an advantageous purchase for the City. He said the property is 36 total acres with 25 being offered, is currently zoned M-2 with 1,600 feet of road frontage and located in the flood zone with one half being in the floodway. He added that the property has been permitted for fill and gave the price at \$30,000 per acre. Mayor Shipley thanked Mr. Folkner for the information.

City Manager Stulce presented bids taken for the Fire Hall #3 sewer extension. He explained that the line would tie into the main interceptor extending west across Dayton Pike and proceed west to Springfield Road. The bids were taken in two parts with the first one being to the fire station and the second or alternate bid going to Springfield Road. He gave the low bid for both sections as \$119,380 from McGinnis Construction. He said based on the bids received and the commitments from the WWTa and a local developer to participate in

the amount of \$32,000, he would recommend accepting the bid of McGinnis and doing both sections. He added that the cost does not include the engineering. A motion was made by Commissioner Adams to accept the low bid for the sewer extension to include the alternate as recommended. The motion was seconded by Commissioner Harmon and the ayes were unanimous. Commissioner Harmon asked for a time on the job's completion. Mr. McGinnis said approximately 45 days. Vice-Mayor Privett advised that the City Manager will contact Copp Engineering to get the drawings and the contract documents for execution. City Manager Stulce asked for the Board's approval for the Mayor to sign the contract documents. Commissioner Adams made the motion to this effect which was seconded by Commissioner Skiles and the ayes were unanimous.

City Manager Stulce presented an expenditure for payment approval from New Salem Alignment in the amount of \$2,981.89. Commissioner Harmon made a motion to approve payment. The motion was seconded by Commissioner Adams and the ayes were unanimous. Vice-Mayor Privett asked that a copy of the individual tickets be included for future approvals.

City Manager Stulce presented a contract proposal from Jerry Crews for fire training. He said that Mr. Crews was a retired instructor with the State of Tennessee. Included in the proposal were the new state training requirements for fire department members. The proposal list included courses and the cost associated with each course. He said approval of the contract would not necessarily mean that all courses would be taken, but merely options and recommended to enter into the contract agreement. Vice-Mayor Privett asked what would happen if during fire training a call was received. Manager Stulce said he was sure Mr. Crews would complete the training at no additional cost. Commissioner Adams asked if this was a budgeted item. Manager Stulce answered yes saying all of the training could not be completed in one year. Vice-Mayor Privett made a motion to enter into a contract with Mr. Crews as presented. The motion was seconded by Commissioner Adams and the motion carried unanimously.

City Manager Stulce noted that a sketch for the proposed building for the police department was included in the packets and asked for authorization to enter into an agreement with an architect for the design at which time it can be placed out for bid. He stated that he already had a proposal from the architect that did the drawings for the new city hall. Vice-Mayor Privett said he would prefer to see other proposals for comparison. He offered one change to the sketch that being the addition of storage on the back. The building expense will be from the drug fund. Commissioner Adams stated he would prefer using these drug funds on a multipurpose building. He said the City already has the design and there is \$200,000 in state grant funds available. Vice-Mayor Privett agreed the City needs a larger facility, but the difference is a \$175,000 building versus the building designed that would cost \$2 to \$3 million. Chief Hamrick commented that the current building provides two holding cells but one is being used as a property evidence room. The proposed building will

provide much needed storage. Commissioner Adams stated he was not against this building but wanted to go on record as seeing the much bigger picture of what is needed long term. Vice-Mayor Privett said all metal buildings that are approved in the state are signed off by an engineer with a State of Tennessee stamp. Mayor Shipley said he agreed with getting other design proposals as was the consensus of the other Board members.

City Manager Stulce reported that two patrol cars were damaged when a suspect's vehicle ran into them. The damage was assessed at \$8,000 which was paid by TML under uninsured motorist coverage. He said the car receiving the most damage was more than four years old with more than 100,000 miles. He recommended that the funds be used toward the purchase of a new patrol car and to utilize the parts from the other two to make one. Commissioner Harmon asked how many police cars will be sold at the next auction. Chief Hamrick said possibly two. Commissioner Harmon asked if an auction could be held now to sell the two damaged cars to use the revenue toward the new car purchase. City Manager Stulce said the plan is to utilize the two cars into one. Chief Hamrick said the purchase would be as last year, from the same dealer and at the same state contract price. A motion was made by Commissioner Adams to purchase one new patrol car. The motion was seconded by Commissioner Harmon and the ayes were unanimous.

City Manager Stulce reported that there were several lists and maps from the Transportation Planning Organization (TPO) included in the packets for informational purposes. He noted that Soddy-Daisy was not mentioned in any of the projects.

City Manager Stulce stated that there was an engineering proposal in the packets from Volkert and Associates in relation to Little Soddy Creek. He said there could be federal funds available to reimburse the City for engineering costs and that Volkert would help to secure these funds. He said TDEC suggested using an engineering firm familiar with the creek of which Volkert is. Commissioner Adams said that it is unknown how Little Soddy Creek fits on the North Hamilton County and Rhea County Creek Committee's priority list. City Manager Stulce said he did not think it was even on the list and the entire cost might be at the City's expense. He recommended that no action be taken on this tonight but to keep the information for future consideration.

City Manager Stulce announced that a joint Christmas dinner for the city employees and the fire department would be held on Saturday, December 12<sup>th</sup> at 6:00 p.m. at Fire Station #1.

City Manager Stulce said the bucket truck was down once again and requested approval to spend up to \$25,000 for a suitable replacement. Mayor Shipley asked if there were funds available in the public works budget for this. City Manager Stulce said it could be taken from Capital Outlay. A motion was made by Commissioner Adams to give the City Manager permission to seek a replacement as requested at an amount not to exceed \$25,000. The motion was seconded by Commissioner Harmon and the motion carried.

Commissioner Adams said the Chamber of Commerce had requested him to present a memorandum of

agreement to the Board for July 4, 2010. He said it was merely a formality and was the same agreement as last year which lists what the City will provide. Vice-Mayor Privett said he would prefer to read this document before approval. Commissioner Adams said he would get copies to each Commissioner. It was decided that this would be presented at the next meeting.

Commissioner Adams said the community center is being used continually and at no charge. He said the building is only being leased to city residents but those residents reserve it for others. He said there are many times when the center is left very dirty and questioned if the fee should be reinstated. After a lengthy discussion it was the consensus of the Board that a \$25 rental fee for use of the community center only will be reinstated beginning January 1, 2010 for use on Fridays, Saturdays and Sundays. Reservations for use on Monday through Thursday will be with a refundable \$50 deposit. Fees will be waived for all civic organizations.

Vice-Mayor Privett said he had received a complaint of tree limbs falling into the ditch stopping it up at 127 West Walden Circle. He requested that public works clean the ditch of debris and check the tree for any additional dead limbs.

Mayor Shipley stated that a discussion was held prior to this meeting with Darryl Hill, developer of the Plantation Subdivision. City Attorney Elliott stated that Mr. Hill was asked to help resolve the water problems. He said Mr. Hill has agreed to work with the homeowners to get the ditch cleaned out and rip rapped. He is proposing to do the labor if the property owners will buy the material and the City will do what it can to get the dirt out of the drainage pipes. He advised those residents present from the Plantation Subdivision to notify their neighbors of this proposal. Mayor Shipley said Mr. Hill's estimated cost would be \$5,000 to \$6,000 and the cost to each homeowner is estimated to be \$400. Vice-Mayor Privett said he felt the cost to the homeowners would be less. Mayor Shipley said that Mr. Hill is ready to proceed as soon as an agreement is reached with the homeowners and documents are signed allowing him access to the properties. Vice-Mayor Privett said this would require 100% participation going from Posey Hollow Road to Plow Lane. Mayor Shipley said this is now between Mr. Hill and the residents. City Attorney Elliott said legally the City does not have any responsibility and that this is a great way to get this resolved for a minimal amount. Mayor Shipley stated the City will clean the tile and add pipe at the end of Posey Hollow Road. Vice-Mayor Privett said there is another issue to be addressed and this is the 36" pipe on Plow Lane, but that there is no need until the other work is complete. Tom Million was present stating he was ready tonight, asking what if all are not willing to participate. Vice-Mayor Privett said he should encourage the homeowners to get on board with this proposal. City Attorney Elliott emphatically stated that the City cannot pay one nickel for any work on the individual properties. Vice-Mayor Privett said even if an individual refuses to pay and others chip in for their part, they must still sign a release for access to allow Mr. Hill on their property.

City Manager Stulce reported that he had been in contact with an engineer who works for a bridge building contractor regarding the proposal to put a box culvert or to reinstall the Pruett Street bridge. He said the estimated cost to use the box culvert as recommended by TDEC would be \$120,000 and that the bridge will cost more. Vice-Mayor Privett said he would like the consensus from the Board if this work needs to be done and if so to start budgeting \$25,000 or so per year for replacement. Mayor Shipley stated he is in favor of replacing it. Commissioner Harmon said this was the first he has heard of it. Commissioner Adams agreed with keeping it on a plan for replacement. Discussion was held on the access by Ducktown Street and its condition.

Commissioner Harmon said the vote to pave Daisy Dallas Road has been voted on twice. Public Works Director Grant said he met with a representative of Highways, Inc. today who said their asphalt plant has started opening during the day. They looked at all of Daisy Dallas Road and he is to come back with an estimated cost in three sections. He gave those sections as: Dayton Pike to the curve on Oakwood; Oakwood to the railroad crossing and from the railroad crossing to Gann Road. Commissioner Harmon questioned when the prices would be available. Mr. Grant said hopefully by tomorrow.

ADJOURNMENT 8:38 P.M.

RECORDER SARA BURRIS